

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI**

MO-KAN IRON WORKERS PENSION FUND,  
a Trust Fund,

and

DAVE COLEMAN and DONALD E.  
GREENWELL, III,  
TRUSTEES OF THE MO-KAN IRON WORKERS  
PENSION FUND,

and

MO-KAN IRON WORKERS WELFARE FUND,  
a Trust Fund,

and

DAVE COLEMAN and DONALD E.  
GREENWELL, III,  
TRUSTEES OF THE MO-KAN IRON WORKERS  
WELFARE FUND,

and

MO-KAN IRON WORKERS APPRENTICESHIP,  
TRAINING AND EDUCATION FUND,  
a Trust Fund,

and

DAVE COLEMAN and CALEB MCCANDLESS  
TRUSTEES OF THE MO-KAN IRON WORKERS  
APPRENTICESHIP, TRAINING AND  
EDUCATION FUND,

Plaintiffs,

v.

**BLACKFORD FOUNDATIONS, INC.**

[SERVE: United States Corporation Agents, Inc.  
Registered Agent  
4200 University Blvd., Suite 426  
West Des Moines, IA 50266]

Defendant.

No: 4:23-00930-DGK

**JURY TRIAL DEMANDED**

**DEFENDANT BLACKFORD FOUNDATIONS, INC.  
ANSWER AND AFFIRMATIVE DEFENSES  
TO PLAINTIFFS' COMPLAINT**

**ANSWER TO COUNT I**

1. Blackford Foundations, Inc. denies the allegations in Paragraph 1, Count I of Plaintiffs' Complaint. Blackford denies that this court has jurisdiction over Blackford or this matter.

2. Blackford denies the allegations in Paragraph 2, Count I of Plaintiffs' Complaint.

3. Blackford denies the allegations in Paragraph 3, Count I of Plaintiffs' Complaint.

4. Blackford denies the allegations in Paragraph 4, Count I of Plaintiffs' Complaint.

5. Blackford denies the allegations in Paragraph 5, Count I of Plaintiffs' Complaint.

6. Blackford denies the allegations in Paragraph 6, Count I of Plaintiffs' Complaint.

7. Blackford denies that venue is proper in this court. Blackford denies the allegations in Paragraph 7, Count I of Plaintiffs' Complaint.

8. Blackford admits it is an Iowa corporation doing business in the States of Missouri and Kansas. Blackford denies the remaining allegations in Paragraph 8, Count I of Plaintiffs' Complaint.

9. Blackford denies the allegations in Paragraph 9, Count I of Plaintiffs' Complaint.

10. Blackford denies the allegations in Paragraph 10, Count I of Plaintiffs' Complaint.

11. Blackford denies the allegations in Paragraph 11, Count I of Plaintiffs' Complaint.

12. Blackford denies the allegations in Paragraph 12, Count I of Plaintiffs' Complaint.

13. Blackford denies the allegations in Paragraph 13, Count I of Plaintiffs' Complaint.

14. Blackford denies the allegations in Paragraph 14, Count I of Plaintiffs' Complaint.

15. Blackford denies the allegations in Paragraph 15, Count I of Plaintiffs' Complaint.

16. Blackford denies the allegations in Paragraph 16, Count I of Plaintiffs' Complaint.

17. Blackford denies the allegations in Paragraph 17, Count I of Plaintiffs' Complaint.

18. Blackford denies the allegations in Paragraph 18, Count I of Plaintiffs' Complaint.

19. Blackford denies the allegations in Paragraph 19, Count I of Plaintiffs' Complaint.

20. Blackford denies the allegations in Paragraph 20, Count I of Plaintiffs' Complaint.

21. Blackford denies the allegations in Paragraph 21, Count I of Plaintiffs' Complaint.

Defendant Blackford Foundations, Inc. denies Plaintiffs' allegations in Count I and all Plaintiffs' requested damages and orders against Blackford. Blackford denies that Plaintiffs are entitled to a judgment against Blackford, and therefore, seeks judgment in its favor on Count I of Plaintiffs' Complaint, plus costs and any other relief as the Court deems just. Defendant requests a jury trial.

### **ANSWER TO COUNT II**

1. Blackford denies the allegations in Paragraph 1, Count II of Plaintiffs' Complaint.

2. Blackford denies the allegations in Paragraph 2, Count II of Plaintiffs' Complaint.

3. Blackford denies the allegations in Paragraph 3, Count II of Plaintiffs' Complaint.

4. Blackford denies the allegations in Paragraph 4, Count II of Plaintiffs' Complaint.

Defendant Blackford Foundations, Inc. denies Plaintiffs' allegations in Count II and all Plaintiffs' requested damages and orders against Blackford. Blackford denies that Plaintiffs are entitled to a judgment against Blackford, and therefore, seeks judgment in its favor on Count I of Plaintiffs' Complaint, plus costs and any other relief as the Court deems just. Defendant requests a jury trial.

### **ANSWER TO COUNT III**

1. Blackford denies the allegations in Paragraph 1, Count III of Plaintiffs' Complaint.

2. Blackford denies the allegations in Paragraph 2, Count III of Plaintiffs' Complaint.

3. Blackford denies the allegations in Paragraph 3, Count III of Plaintiffs' Complaint.

4. Blackford denies the allegations in Paragraph 4, Count III of Plaintiffs' Complaint.

Defendant Blackford Foundations, Inc. denies Plaintiffs' allegations in Count III and all Plaintiffs' requested damages and orders against Blackford. Blackford denies that Plaintiffs are entitled to a judgment against Blackford, and therefore, seeks judgment in its favor on Count I of Plaintiffs' Complaint, plus costs and any other relief as the Court deems just. Defendant requests a jury trial.

### **AFFIRMATIVE DEFENSES**

1. Plaintiffs' Complaint fails to state a claim against this Defendant upon which relief may be granted.

2. This Court lacks personal jurisdiction over this Defendant.

3. Venue is improper in the Western District of Missouri.

4. Plaintiffs' claims against this Defendant are barred by the applicable statutes of limitations.

5. Plaintiffs' claims may be barred or limited by the substantive law of foreign states or jurisdictions.

Respectfully Submitted,

/s/ Dyanna Ballou

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ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I certify that on February 26, 2024, this document was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system on all parties.

/s/ Dyanna Ballou

**Attorney for Blackford Foundations**